

GENERAL RULES FOR THE TRIAL OF CASES
BEFORE JUDGE TIM LEONARD

COUNSEL: PLEASE READ CAREFULLY

PRIOR TO TRIAL:

1. **Exhibits:** Please prepare an index of exhibits that you expect to offer, using the attached form. Please provide a copy for opposing counsel and three copies to the courtroom deputy on the first day of trial. (There is no requirement that you offer your exhibits in sequence.)

Exhibit labels may be obtained from the courtroom deputy. Court time may not be used for marking exhibits. This must be done in advance of the court session. Exhibits shall be marked in numerical sequence. Duplicate exhibits will not be admitted.

Exhibits are to be marked numerically, including the case number, and are to be placed in three-ring binders separated by tabs. The parties shall provide the original and one copy of the exhibit notebooks to the courtroom deputy on the first day of trial, unless ordered to do so earlier by the court. For non-jury trials, the original and two copies of the exhibit notebooks will be provided to the courtroom deputy.

2. **Witnesses:** Please provide the courtroom deputy with three copies of your witness list on the first day of trial. One copy will be given to the court reporter to avoid asking the spelling of the witnesses names.
3. **Depositions:** If you are going to use deposition testimony, you should advise opposing counsel of your proposed offer by page and line reference to enable the preparation of objections and the offer of additional portions. Designations of deposition testimony to be used at trial shall be filed as set forth in the scheduling order. You are also required to provide a person (co-counsel or someone else) to read the answers. Video depositions must be edited no later than the first day of trial. You must either provide a copy of the edited tape to opposing counsel or permit counsel to view it prior to its admission into evidence. It is your obligation to inform the court in a timely manner of the objections that must be determined before the editing process may begin. Please allow sufficient time for the court to review and rule on the objections before trial.
4. **Audio-Visual Equipment:** If you intend to use any special equipment, such as videotapes, movies, slides or tape recorders, you are requested to make the appropriate arrangements prior to the date of the trial and to advise the courtroom deputy.

TRIAL:

1. Please be on time for each court session. Trial engagements take precedence over any other business. If you have matters in other courtrooms, arrange in advance for the handling of such matters by you or have an associate handle them for you.
2. Please stand when you address the court or make objections. (Counsel with physical disabilities are excused from this requirement.)
3. Stand a respectful distance from the jury at all times. Statements and arguments to the jury will be made from the lectern.
4. In your opening statement to the jury, do not argue the case and do not discuss law. Confine yourself to a concise summary of the facts to follow. Do not describe in detail what individual witnesses will say. Unless the case is unusually complex, each party will be limited to 10 minutes.

5. Please stand when you question witnesses. (Counsel with physical disabilities are excused from this requirement.) Do not pace about the courtroom when questioning witnesses, but remain at the lectern unless given permission to approach the witness, diagram, bench, or the like.
6. Except for children, address witnesses by their surnames, for example, Mr. A, Sergeant B or Doctor C.
7. Do not greet or introduce yourself to adverse witnesses. Commence your cross-examination without preliminaries.
8. When you object in the presence of the jury, make your objection short and to the point. Do not argue the objection in the presence of the jury and do not argue with the ruling of the court in the presence of the jury. Do not make motions in the presence of the jury. Such matters may be raised at the first recess without waiving any rights by such delayed motion.
9. Never assert your personal opinion as to the credibility of a witness, the culpability of a civil litigant, or the guilt or innocence of an accused, nor as counsel assert personal knowledge of a fact in issue, nor assert a fact not in evidence.
10. When another counsel has the floor, do not distract the court or jury by audibly conversing with your client or co-counsel, ostentatiously passing notes, rummaging through papers, or other conspicuous conduct.
11. Do not react to a statement by another counsel or a witness being examined by another counsel by the gesture or facial expression signifying agreement, disagreement, approval or disapproval. Advise your clients they are subject to this same limitation.
12. Do not bring food or beverage into the courtroom. Water is provided there.
13. Do not leave the courtroom while trial is in progress without obtaining leave of court.
14. It is the obligation of counsel to have their witnesses available to prevent any delay in the presentation of testimony or running out of witnesses before 5:00 p.m. on any trial day. If counsel has a problem in this regard, it should be promptly brought to the court's attention.
15. Where more than one attorney represents a party, only the attorney handling the particular witness may respond to an objection or raise an objection in regard to the testimony.
16. While the court permits exhibits to be passed to the jury, this procedure should be used sparingly and reserved for truly significant exhibits. If possible, when you wish to publish an exhibit to the jury, have a copy for each juror.
17. Always show demonstrative exhibits or enlargements of admitted exhibits to opposing counsel before they are used or published to the jury.
18. If you have reason to anticipate that any question of law or evidence is particularly difficult, give the court as much advance notice as possible.

Thank you for your cooperation.

Tim Leonard
United States District Judge